

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

ROMIE GRADY, JR.

PLAINTIFF

V.

5:19CV00145 JM

**LOUISE WELLS, Corporal,
Varner Supermax;
ERIC WILKINS, Corporal,
Varner Supermax**

DEFENDANTS

ORDER

On February 6, 2023 at 9:15 a.m., the Court held a bench trial in this case. Plaintiff attended with his attorney Mr. Willard Proctor and Defendant Eric Wilkins appeared pro se. Defendant Louise Wells did not appear and had not responded to the Court since she filed her Answer on June 17, 2020. Ms. Wells failed to attend the settlement conference in this matter and failed to file a response as ordered by the Court on January 27, 2023 (ECF No. 133). At the bench trial, the Court heard testimony from Mr. Wilkins and the Plaintiff. At the conclusion, the Court dismissed Mr. Wilkins from all liability and entered judgment in favor of the Plaintiff against Ms. Wells in the amount of \$150,000 for damages and \$350 for fees.

Ten days later, Ms. Wells filed a pro se motion for new trial. In the motion, Ms. Wells states that she had a car accident on the date of the trial and requests that the Court reschedule the trial for another day. Ms. Wells attached a Mississippi Uniform Crash Report for verification of the accident which prevented her from attending the trial and medical records from the Delta Regional Medical Center in Greenville, Mississippi documenting Ms. Wells' visit following the accident.

The accident report states that the crash occurred at 7:51 on the morning of February 6th in Greenville, Mississippi. Greenville is approximately two hours and twenty minutes from the

Richard Sheppard Arnold United States Courthouse in Little Rock, Arkansas. Since Ms. Wells was still in Greenville at 7:51 a.m., she could not have been planning to attend the trial in Little Rock at 9:15 a.m. Accordingly, the Court finds Ms. Wells' reason for failing to appear at trial to be implausible and untruthful.

Ms. Wells has not provided the Court with any legal reason for setting aside the findings made at trial. Therefore, her motion for new trial (ECF No. 137) is DENIED.

IT IS SO ORDERED this 22nd day of March, 2023.

A handwritten signature in black ink, appearing to read "J. Moody Jr.", is written over a horizontal line.

James M. Moody Jr.
United States District Judge